

THE OFFICE ACTION

In the Office Action dated March 1, 2004, the Examiner rejected all pending claims based on a number of references. The Examiner rejected claims 1-6, 8, 12, 13, and 16-22 under 35 U.S.C. §102(b) as being anticipated by JP 11-145519 to Komoto (hereinafter Komoto). The Examiner further rejected claims 9 and 10 under 35 U.S.C. §103(a) as being unpatentable over Komoto, and Komoto in view of U.S. Patent No. 6,195,196 to Kimura (hereinafter Kimura). The Examiner further rejected claims 9-11, 14, and 15 under 35 U.S.C. §103(a) as being unpatentable over Komoto, and Komoto in view of U.S. Patent No. 5,838,100 to Jansma (hereinafter Jansma).

REMARKS/ARGUMENTS

Applicants have carefully considered the Office Action issued on March 1, 2004. Applicants respectfully request reconsideration of the application in light of the above amendments and the following comments. Claims 1-6, 8, and 10-22 remain pending in the application.

Independent claims 1, 11, 14, 15 and 19 have been amended to recite that the UV reflecting material comprises alumina or alpha and gamma alumina. Applicants submit that the above amendments do not raise new matter or new issues for consideration as support for the amendments can be found in the dependent claims as originally filed.

Applicants submit that no claim is anticipated by Komoto. As noted by the Examiner on Page 6 of the Office Action, "Komoto fails to teach or fairly suggest the UV reflecting material comprising alumina". All claims presently require alumina and are, therefore, not anticipated by Komoto.

With respect to claims rejected as being unpatentable over Komoto in view of Kimura, Applicants respectfully submit that Kimura teaches the use of a layer "to transmit UV rays" (lines 56-61, column 49 and numerous others). Therefore, the combination of Komoto and Kimura fails to suggest to a person of ordinary skill in the art that the "UV reflecting material" should be alumina. Moreover, the skilled artisan would

not look to a reference which teaches transmitting the UV radiation as a basis to suggest using alumina in the Komoto UV reflecting design. In this regard, Kimura teaches away from the proposition asserted by the Examiner and relied on by the Examiner to support the rejection.

Applicants respectfully submit that Jansma's teaching is limited to fluorescent lamps and never mentions LED or a semiconductor light source, which is an essential part of Applicants' invention. Having read both Komoto and Kimura, a person of ordinary skill in the art is not motivated to substitute Jansma's fluorescent lamp design with the light emitting component comprised of a semiconductor material.

Further, Applicants respectfully submit that Jansma does not teach that the "UV reflecting material is disposed as a layer adjacent to the phosphor material, said layer positioned outwardly from said phosphor material in a direction of light emission from said light source".



CONCLUSION

Applicants respectfully request reconsideration of the application in light of the above comments. Applicants submit that all claims are now patentable. If there are any issues remaining, the Examiner is encouraged to contact the undersigned in an attempt to resolve any such issues.

If any fee is due in conjunction with the filing of this Amendment, Applicant authorizes deduction of that fee from Deposit Account 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP

Date: 6/1/07



Scott A. McCollister, Reg. No. 33,961
1100 Superior Avenue, Seventh Floor
Cleveland, Ohio 44114-2518
216.861.5582